

United States District Court

EASTERN DISTRICT OF TEXAS

SHERMAN DIVISION

ERIC SANDERS,

Plaintiff,

V.

WELLS FARGO BANK N.A. AS
TRUSTEE FOR SOUNDVIEW HOME
LOAN TRUST 2007-OPT1 AS ASSET-
BACK CERTIFICATES, SERIES 2007-
OPT1 AND HOA OF LONE STAR
RANCH, INC.,

Defendants.

CIVIL ACTION NO. 4:18-CV-71
JUDGE MAZZANT/JUDGE JOHNSON

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On August 20, 2018, the Magistrate Judge entered proposed findings of fact and recommendations (Dkt. #20) that Defendant Wells Fargo Bank, National Association as Trustee for Soundview Home Loan Trust 2007-OPT1, Asset-Backed Certificates, Series 2007-OPT1's Motion to Dismiss Plaintiff's Amended Petition (Dkt. #9) be **GRANTED**, and Plaintiff's claims be **DISMISSED WITH PREJUDICE** in their entirety.¹

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the

¹ The Magistrate Judge previously entered proposed findings of fact and recommendations that Defendant's Motion to Dismiss Plaintiff's Amended Petition (Dkt. #9) be granted. Plaintiff filed objections to the Report (Dkt. #17) requesting that the Court allow him leave to amend his complaint. The Court granted the relief requested by Plaintiff, withdrew the Report, and ordered Plaintiff to file his amended complaint, if any, by August 8, 2018. *See* Dkt. #19. Plaintiff did not submit any amended complaint and the Court, accordingly, entered a renewed report and recommendation, again recommending that Defendant's Motion to Dismiss (Dkt. #9) be granted. *See* Dkt. #20.

Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. Therefore, Defendant's Motion to Dismiss (Dkt. #9) is **GRANTED**.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that this entire action, and all of the claims asserted therein, be **DISMISSED WITH PREJUDICE**. Each party shall bear its own costs.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this 18th day of September, 2018.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE